

CLERKS OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
11/15/2019  
JULIA C. DUDLEY, CLERK  
BY: s/ CARMEN AMOS  
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

UNITED ENERGY WORKERS  
HEALTHCARE CORPORATION,  
  
Plaintiff,  
  
v.  
  
MELISSA GAIL ANDERSON, RN, CHPN,  
  
Defendant.

Case No. 6:19-cv-00073

**CONSENT ORDER**

Plaintiff United Energy Workers Healthcare Corporation (“Plaintiff” or “UEW Healthcare”) filed a Complaint (ECF Doc. 1) and a Motion for Temporary Injunction (“Motion”) (Doc. 4.) against Defendant Melissa Gail Anderson, RN, CHPN (“Defendant” or “Anderson”).

UEW Healthcare and Anderson (collectively, the “Parties”) represent to the Court that they have entered into a settlement agreement (“Agreement”) whereby Plaintiff agrees to dismiss its Complaint, without prejudice, in exchange for, among other things, Defendant’s compliance with certain obligations, including those stated in the 2018 Agreement she signed (Ex. 3 to Doc. 1). Thus, the Parties request that this Court enter this mutually-agreed Consent Order and retain jurisdiction with regard to the enforcement of their Agreement.

It appearing proper to do so in accordance with the mutual agreement of the Parties, it is **ORDERED** as follows:

1. From the date of this Order through August 14, 2020 (the “Restricted Period”), Anderson shall not directly or indirectly:

- a. “Compete” against UEW as defined in the Parties’ noncompete agreement (*see* Exhibit 3 to Complaint). This means that Anderson shall not, among other things, provide home health services to individuals who receive benefits under EEOICPA and/or RECA; and
  - b. Contact, divert or solicit UEW’s patients, caregivers or contractors for a purpose of “Competing” with UEW.
2. Anderson shall not use or disclose UEW Healthcare trade secrets or UEW confidential information, especially information regarding its patients, caregivers, contractors, or its finances, pricing, or methods of doing business.
3. Anderson shall return any confidential information of UEW, and relinquish all patient, caregiver and contractor information including, but not limited to, any Patient Census or spreadsheets she has in her possession or control, and any other confidential information in her possession or control that is the property of UEW.
4. Plaintiff’s Complaint is **DISMISSED WITHOUT PREJUDICE**.
5. At the request of the Parties, this Court retains jurisdiction for purposes of enforcing the terms of the Agreement, if such action should prove necessary.

The Clerk is directed to send a certified copy of this Consent Order to all counsel of record and the Defendant in this action.

Entered this 15th day of November, 2019.

  
NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE